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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/706,142      | 11/12/2003  | Roger W. Phillips    | 48930-01703         | 6069             |

27975 7590 01/18/2006

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EXAMINER

VARGOT, MATHIEU D

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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| EXAMINER |
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| ART UNIT | PAPER |
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20060112

DATE MAILED:

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## Commissioner for Patents

The reply filed on November 2, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant is arguing that the instant color shifting effect is not shown in Uyama et al for reasons that are not in the independent claim—namely the structure of the color shifting film. Hence, it is not necessarily clear why instant claim 1 would be allowable as generally argued by applicant. It should be noted that the reasons for allowance of USP 6,761,959 included the structure of the color shifting film (ie, absorber, dielectric and reflector layers) and further, that such were not provided by the instant examiner as alleged at page 4 of the amendment. However, a claim commensurate in scope with what was allowed in USP 6,761,959 would be allowable over the art of record. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Mathieu D. Vargot  
Primary Examiner  
Art Unit: 1732

1/12/06